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NOTICE OF ALLOWANCE AND FEE(S) DUE

22922

7590

09/10/2008

REINHART BOERNER VAN DEUREN S.C. ATTN: LINDA KASULKE, DOCKET COORDINATOR 1000 NORTH WATER STREET SUITE 2100 MILWAUKEE, WI 53202

| EXAMINER | | | | |
|------------------|--------------|--|--|--|
| WEIER, ANTHONY J | | | | |
| ART UNIT | PAPER NUMBER | | | |

1794 DATE MAILED: 09/10/2008

| APPLICATION NO. | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
|-----------------|-------------|----------------------|---------------------|------------------|
| 10/737,225 | 12/16/2003 | N.R. Gandhi | 5334-CIP-CON | 6331 |

TITLE OF INVENTION: METHOD OF PREPARING SOY MILK COMPOSITIONS

| APPLN. TYPE | SMALL ENTITY | ISSUE FEE DUE | PUBLICATION FEE DUE | PREV. PAID ISSUE FEE | TOTAL FEE(S) DUE | DATE DUE |
|----------------|--------------|---------------|---------------------|----------------------|------------------|------------|
| nonprovisional | YES | \$720 | \$300 | \$0 | \$1020 | 12/10/2008 |

THE APPLICATION IDENTIFIED ABOVE HAS BEEN EXAMINED AND IS ALLOWED FOR ISSUANCE AS A PATENT. PROSECUTION ON THE MERITS IS CLOSED. THIS NOTICE OF ALLOWANCE IS NOT A GRANT OF PATENT RIGHTS. THIS APPLICATION IS SUBJECT TO WITHDRAWAL FROM ISSUE AT THE INITIATIVE OF THE OFFICE OR UPON PETITION BY THE APPLICANT. SEE 37 CFR 1.313 AND MPEP 1308.

THE ISSUE FEE AND PUBLICATION FEE (IF REQUIRED) MUST BE PAID WITHIN THREE MONTHS FROM THE MAILING DATE OF THIS NOTICE OR THIS APPLICATION SHALL BE REGARDED AS ABANDONED. THIS STATUTORY PERIOD CANNOT BE EXTENDED. SEE 35 U.S.C. 151. THE ISSUE FEE DUE INDICATED ABOVE DOES NOT REFLECT A CREDIT FOR ANY PREVIOUSLY PAID ISSUE FEE IN THIS APPLICATION. IF AN ISSUE FEE HAS PREVIOUSLY BEEN PAID IN THIS APPLICATION (AS SHOWN ABOVE), THE RETURN OF PART B OF THIS FORM WILL BE CONSIDERED A REQUEST TO REAPPLY THE PREVIOUSLY PAID ISSUE FEE TOWARD THE ISSUE FEE NOW DUE.

HOW TO REPLY TO THIS NOTICE:

I. Review the SMALL ENTITY status shown above.

If the SMALL ENTITY is shown as YES, verify your current SMALL ENTITY status:

A. If the status is the same, pay the TOTAL FEE(S) DUE shown above.

B. If the status above is to be removed, check box 5b on Part B - Fee(s) Transmittal and pay the PUBLICATION FEE (if required) and twice the amount of the ISSUE FEE shown above, or

If the SMALL ENTITY is shown as NO:

A. Pay TOTAL FEE(S) DUE shown above, or

B. If applicant claimed SMALL ENTITY status before, or is now claiming SMALL ENTITY status, check box 5a on Part B - Fee(s) Transmittal and pay the PUBLICATION FEE (if required) and 1/2 the ISSUE FEE shown above.

II. PART B - FEE(S) TRANSMITTAL, or its equivalent, must be completed and returned to the United States Patent and Trademark Office (USPTO) with your ISSUE FEE and PUBLICATION FEE (if required). If you are charging the fee(s) to your deposit account, section "4b" of Part B - Fee(s) Transmittal should be completed and an extra copy of the form should be submitted. If an equivalent of Part B is filed, a request to reapply a previously paid issue fee must be clearly made, and delays in processing may occur due to the difficulty in recognizing the paper as an equivalent of Part B.

III. All communications regarding this application must give the application number. Please direct all communications prior to issuance to Mail Stop ISSUE FEE unless advised to the contrary.

IMPORTANT REMINDER: Utility patents issuing on applications filed on or after Dec. 12, 1980 may require payment of maintenance fees. It is patentee's responsibility to ensure timely payment of maintenance fees when due.

PART B - FEE(S) TRANSMITTAL

Complete and send this form, together with applicable fee(s), to: Mail Mail Stop ISSUE FEE

Commissioner for Patents
P.O. Box 1450
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| NSTRUCTIONS: This opropriate. All further of idicated unless correcte naintenance fee notificat | correspondence includin d below or directed oth | or transmitting the ISSU of the Patent, advance on herwise in Block 1, by (a | JE FEE and PUBLIC rders and notification a) specifying a new c | of m orresp | ON FEE (if requi aintenance fees woondence address; | red). E ill be and/or | Blocks 1 through 5 sh mailed to the current (b) indicating a sepa | nould be completed where correspondence address as rate "FEE ADDRESS" for |
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| CURRENT CORRESPONDENCE ADDRESS (Note: Use Block 1 for any change of address) | | | | Note: A certificate of mailing can only be used for domestic mailings of the Fee(s) Transmittal. This certificate cannot be used for any other accompanying papers. Each additional paper, such as an assignment or formal drawing, mus have its own certificate of mailing or transmission. | | | | |
| REINHART BO ATTN: LINDA I 1000 NORTH W | | | | | Cert | ificate | of Mailing or Transi | |
| SUITE 2100 MILWAUKEE, ' | WI 53202 | | | | | | | (Depositor's name) |
| , and write in the same, | | | | | | | | (Signature) |
| | | | | | | | | (Date) |
| APPLICATION NO. | FILING DATE | | FIRST NAMED INVEN | TOR | | ATTO: | RNEY DOCKET NO. | CONFIRMATION NO. |
| 10/737,225 | 12/16/2003 | • | N.R. Gandhi | | • | 5: | 334-CIP-CON | 6331 |
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| nonprovisional | YES | \$720 | \$300 | | \$0 | | \$1020 | 12/10/2008 |
| EXAMI | INER | ART UNIT | CLASS-SUBCLASS | 3 | | | | |
| WEIER, AN | ITHONY J | 1794 | 426-634000 | | | | | |
| "Fee Address" indi PTO/SB/47; Rev 03-0. Number is required. ASSIGNEE NAME AN | | ' Indication form ed. Use of a Customer A TO BE PRINTED ON T | • | rnative single or ag attorn ll be p | firm (having as a gent) and the name neys or agents. If rinted. | memb es of up no nam | er a 2 p to le is 3 | ocument has been filed for |
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| | o small entity discount p | | Payment by credit card. Form PTO-2038 is attached. The Director is hereby authorized to charge the required fee(s), any deficiency, or credit any | | | | | 71. I |
| ☐ Advance Order - # | of Copies | | overpayment, to I | ereby Depos | authorized to charg it Account Numbe | ge the i | required fee(s), any del (enclose ar | ficiency, or credit any nextra copy of this form). |
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| | SMALL ENTITY statu | | ** | | | | TITY status. See 37 CF | FR 1.27(g)(2). e assignee or other party in |
| terest as shown by the re | ecords of the United Star | tes Patent and Trademark | Office. | nan ui | e applicant, a regis | sicreu a | ittorney or agent, or th | e assignee of other party in |
| Authorized Signature | | | | | Date | | | |
| Typed or printed name | | | | | Registration N | o | | |
| his collection of informa n application. Confident ibmitting the completed is form and/or suggestic to 1450, Alexandria, Viscoinia 2233 | irginia 22313-1450. DO | FR 1.311. The informatic U.S.C. 122 and 37 CFR USPTO. Time will vary den, should be sent to the NOT SEND FEES OR (| on is required to obtain 1.14. This collection is depending upon the e Chief Information C COMPLETED FORM | n or re is esti indivi Officer IS TO | tain a benefit by th mated to take 12 n dual case. Any co , U.S. Patent and THIS ADDRESS | ne publ ninutes mment Fraden . SENI | ic which is to file (and to complete, including s on the amount of tin nark Office, U.S. Depa D TO: Commissioner f | by the USPTO to process) g gathering, preparing, and ne you require to complete attment of Commerce, P.O. for Patents, P.O. Box 1450, |

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| 10/737,225 | 12/16/2003 | N.R. Gandhi | 5334-CIP-CON | 6331 | |
| 22922 75 | 590 09/10/2008 | | EXAM | INER | |
| REINHART BO | ERNER VAN DEUR | WEIER, ANTHONY J | | | |
| | ASULKE, DOCKET C | OORDINATOR | ART UNIT | PAPER NUMBER | |
| 1000 NORTH WA SUITE 2100 MILWAUKEE, W | | | 1794 DATE MAILED: 09/10/200 | 8 | |

Determination of Patent Term Adjustment under 35 U.S.C. 154 (b)

(application filed on or after May 29, 2000)

The Patent Term Adjustment to date is 0 day(s). If the issue fee is paid on the date that is three months after the mailing date of this notice and the patent issues on the Tuesday before the date that is 28 weeks (six and a half months) after the mailing date of this notice, the Patent Term Adjustment will be 0 day(s).

If a Continued Prosecution Application (CPA) was filed in the above-identified application, the filing date that determines Patent Term Adjustment is the filing date of the most recent CPA.

Applicant will be able to obtain more detailed information by accessing the Patent Application Information Retrieval (PAIR) WEB site (http://pair.uspto.gov).

Any questions regarding the Patent Term Extension or Adjustment determination should be directed to the Office of Patent Legal Administration at (571)-272-7702. Questions relating to issue and publication fee payments should be directed to the Customer Service Center of the Office of Patent Publication at 1-(888)-786-0101 (571)-272-4200.

| | Application No. | Applicant(s) | | | | | |
|---|--|---|---------------------------|--|--|--|--|
| | 10/737,225 | GANDHI ET AL. | | | | | |
| Notice of Allowability | Examiner | Art Unit | | | | | |
| | Anthony Weier | 1794 | | | | | |
| | Anthony Welei | 1794 | | | | | |
| The MAILING DATE of this communication apperature All claims being allowable, PROSECUTION ON THE MERITS IS herewith (or previously mailed), a Notice of Allowance (PTOL-85) NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT R of the Office or upon petition by the applicant. See 37 CFR 1.313 | (OR REMAINS) CLOSED or other appropriate comm IGHTS. This application is | in this application. If not include nunication will be mailed in due | ed course. THIS | | | | |
| 1. This communication is responsive to 8/1//08. | | | | | | | |
| 2. The allowed claim(s) is/are 12,13 and 15-19. | | | | | | | |
| 3. ☐ Acknowledgment is made of a claim for foreign priority up a) ☐ All b) ☐ Some* c) ☐ None of the: 1. ☐ Certified copies of the priority documents have | | or (f). | | | | | |
| Certified copies of the priority documents have | | ion No | | | | | |
| 3. ☐ Copies of the certified copies of the priority do | | | tion from the | | | | |
| International Bureau (PCT Rule 17.2(a)). | odinomo navo poom rocciv | od III dilo Hadonal Gago applica | | | | | |
| * Certified copies not received: | | | | | | | |
| Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application. THIS THREE-MONTH PERIOD IS NOT EXTENDABLE. | | | | | | | |
| 4. A SUBSTITUTE OATH OR DECLARATION must be subminFORMAL PATENT APPLICATION (PTO-152) which give | | | OTICE OF | | | | |
| 5. CORRECTED DRAWINGS (as "replacement sheets") mus | st be submitted. | | | | | | |
| (a) ☐ including changes required by the Notice of Draftspers | son's Patent Drawing Revie | ew (PTO-948) attached | | | | | |
| 1) 🔲 hereto or 2) 🔲 to Paper No./Mail Date | , | | | | | | |
| (b) ☐ including changes required by the attached Examiner'Paper No./Mail Date | s Amendment / Comment o | or in the Office action of | | | | | |
| Identifying indicia such as the application number (see 37 CFR 1 each sheet. Replacement sheet(s) should be labeled as such in t | | | back) of | | | | |
| 6. DEPOSIT OF and/or INFORMATION about the depo attached Examiner's comment regarding REQUIREMENT | | | lote the | | | | |
| | | | | | | | |
| Attachment(s) 1. ☐ Notice of References Cited (PTO-892) | E Notice of I | nformal Patent Application | | | | | |
| Notice of References Cited (FTO-692) Dotice of Draftperson's Patent Drawing Review (PTO-948) | | Summary (PTO-413), | | | | | |
| , | Paper No | ./Mail Date | | | | | |
| 3. ☐ Information Disclosure Statements (PTO/SB/08), 7. ☒ Examiner's Amendment/Comment Paper No./Mail Date | | | | | | | |
| 4. ☐ Examiner's Comment Regarding Requirement for Deposit 8. ☑ Examiner's Statement of Reasons for Allowance of Biological Material | | | | | | | |
| | 9. | <u>_</u> · | | | | | |
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Application/Control Number: 10/737,225 Page 2

Art Unit: 1794

EXAMINER'S AMENDMENT

1. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

The application has been amended as follows:

Replace the Title with the following:

--Method of Preparing Soy Milk Compositions--

Examiner's Reasons for Allowance

2. The following is an examiner's statement of reasons for allowance:

Reasons for allowance were set forth in the Final Office Action (mailed 2/11/08).

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Anthony Weier whose telephone number is 571-272-1409. The examiner can normally be reached on Tuesday-Friday.

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Art Unit: 1794

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Milton Cano can be reached on 571-272-1398. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Anthony Weier Primary Examiner Art Unit 1794

> /Anthony Weier/ Primary Examiner, Art Unit 1794

Anthony Weier September 2, 2008